

AMENDMENT / RESPONSE TRANSMITTAL

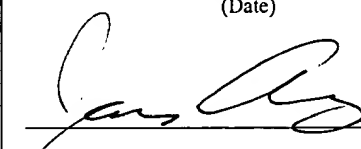
Applicants : AYRE et al.
U.S. Appl. No. : 09/980,682
U.S. Filing Date : August 15, 2002
PCT Appl. No. : PCT/AU00/00355
PCT Filing Date : April 20, 2000
For : ROTARY BLOOD PUMP AND
CONTROL SYSTEM THEREFOR
Examiner : LAYNO, Carl Hernandez
Group Art Unit : 3762

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

January 20, 2004

(Date)


James W. Ausley, Reg. No. 49,076

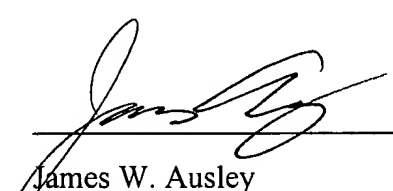
MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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TECHNOLOGY CENTER R3700

Transmitted herewith for filing in the above-identified application are the following enclosures:

- (X) Response to Restriction Requirement in two (2) pages.
- (X) Return prepaid postcard.
- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.


James W. Ausley
Registration No. 49,076
Agent of Record
Customer No. 20,995
(909) 781-9231

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


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James W. Ausley, Reg. No. 49,076

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed December 19, 2003 (Paper Number 9), the Applicants elect Claim Group I, Claims 1-69 and 73-92, drawn to a rotary blood pump. The Applicants make this election without traverse and respectfully request prompt examination on the merits of the elected claims. Should there remain any further impediments to the prompt examination of this application that might be resolved by a telephone conference, the Examiner is respectfully requested to contact the Applicants' undersigned representative at the below-indicated telephone number.

By this paper, the Applicants hereby withdraw Claims 70-72 and 93-96, however reserve the right to pursue the restricted subject matter in subsequent divisional application(s).

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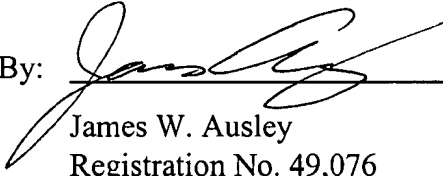
The Applicants respectfully request the Office to change the attorney docket number for this application to HODG1.002APC.

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, to avoid abandonment of the application, or credit any overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 1/19/04

By: 
James W. Ausley
Registration No. 49,076
Agent of Record
Customer No. 20,995
(909) 781-9231

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